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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 JENNIFER A. GOSAR, HOWARD GALE,
13 ELIZABETH MUELLER GRAHAM,
14 NICHOLAS PEDA, NIKITA MINKIN,
15 JESSIE YADLOWSKY

16 Defendants.

17 CASE NOS. 19-306; 19-307; 19-308;
18 19-313; 19-315; 19-320

19 **ORDER DENYING MOTION TO
20 COMPEL WITNESS INTERVIEWS**

21 The Court **DENIES** Defendants' motion to compel witness interviews of Senator
22 Cantwell's staff members, filed January 27, 2020. Dkt. 39. The government has not listed the
23 four staff members as witnesses. The staff members are not germane to Defendants' defenses.
24 Defendants admit they refused to follow law enforcement directives to leave the closed federal
25 building or be cited. Defendants also indicated they intend to defend their refusal to follow law
26 enforcement directives to leave based upon necessity, and the Religious Freedom Restoration
27 Act. The Court has entered an order precluding these defenses, and thus Defendants' attempt to
28 obtain from the Senator's staff information in support of these defenses lacks any basis.

29 To the extent the four members of the Senator's staff have any possible favorable or
30 exculpatory evidence that is material to Defendants' guilt, innocence, or punishment, the

1 government is reminded it is required to provide such evidence to defense counsel under Local
2 Criminal Rule 16 and *Brady v, Maryland* and its progeny.

3 DATED this 29th day of January, 2020.

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6 BRIAN A. TSUCHIDA
7 Chief United States Magistrate Judge
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